

From: Steve Kinney
To: Microsoft ATR,groupmind2@yahoogroups.com@inetgw
Date: 12/11/01 1:27am
Subject: anti-trust settlement

To whom it may concern,

This message is in response for the solicitation of public comment on the proposed settlement in the case of U.S. v. Microsoft, Civil Action No. 98-1232. I find the settlement completely unacceptable.

The proposed settlement rewards Microsoft for breaking the law.

There are no provisions in the settlement that would interfere in any way with Microsoft's anti-competitive practices, as the Redmond giant continues to employ illegal means to leverage its operating system monopoly into application software, network protocol, and Internet server monopolies.

The well publicized "penalty" chosen by Microsoft, that it provide software to some public schools, is nothing more than an extension of their already well established policy of providing "free" software to any educational institution, in order to exclude other companies' products from their campuses. I place "free" in quotation marks, since the software offered is always network server software, which if accepted, excludes other operating systems from the school's local network of computers.

Microsoft's competitors offer measurably higher performance, in speed, scalability, security, and reliability, along with superior customer support, and lower cost to the user. All Microsoft can offer to counter this competition-- from innovative U.S. companies like Sun, Red Hat, and Mac-- is to foster an educational environment where "Microsoft is the only company whose products you have ever seen or learned how to use."

Why is it OK for Microsoft to break the law?

A private conference between Bill Gates and George W. Bush, was documented by the Dallas Morning News on July 9, 1999. This meeting was followed by over \$35 million in Microsoft contributions to the Bush campaign, accomplished through direct Microsoft sponsorship of the most productive "Pioneer" fund raisers for the Bush campaign: Microsoft executives collected full time pay from Microsoft, while working full time as fund raisers for the Bush campaign.

The Bush Administration's Department of Justice, proposes that

Microsoft choose exactly how it will be "penalized" for breaking the law, and allows Microsoft to freely re-define U.S. law as it will be applied to their own business practices in the future.

I would suggest that the Department of Justice officials' first loyalty should be to the law of the land. This would require the enforcement of anti-trust laws as written and voted into force by Congress. Even when the convicted offender is Microsoft.

Thank you for your attention,

Steve Kinney

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